

## Summary of Pilot Project Working Group's Responses to Success Measures

1. Provide insights into whether an informal coalition of State programs and NRC as envisioned under the Alliance option, is viable and can produce products meeting needs of both NRC and the Agreement States.

Development and maintenance of the NMP Pilot Projects Implementation Plan demonstrated that NRC and States can cooperatively work together to achieve a common goal under an NMP.

Pilot Project 1 demonstrated that a coalition of Agreement States and NRC is viable and can produce products that may be used by both NRC and Agreement States. Specifically, Agreement State and NRC can collaborate in establishment of priorities and development of a national priority list. The pilot project working group developed a framework and tested a prioritization process that could be used in the future to establish priorities under the Alliance option.

Pilot Project 2 demonstrated that use of an existing center of expertise (an existing CRCPD committee with knowledge, backgrounds and skills in the radiographer certification area) as envisioned under the Alliance option is an efficient and effective method in developing and applying regulatory products.

Pilot Project 3 demonstrated that work can be accomplished remotely with the use of electronic communications without the need for travel to attend meetings.

Pilot Projects 4 demonstrated that a future NMP under the Alliance option can be a viable NMP structure and can produce regulatory products. The pilot project working group has developed licensing and inspection guidance for use by both NRC and Agreement States.

2. Provide insights that the Alliance option has the potential to be a sustainable program structure for the NMP which will result in fewer NRC resources being needed for the development of products needed by NRC and the Agreement States.

Pilot Project 2 demonstrated that the Alliance option is the appropriate structure for the NMP. Historically, the radiography safety certification effort has been conducted under what one may consider an "Alliance" of NRC, Agreement States, CRCPD and other industry organizations. The continuation of this project will result in resource savings for all participants. It would cost NRC more to independently develop a similar product. NRC cost would include additional burden of coordinating the final product with the States and radiography community and reconciling differences.

Pilot Project 4 demonstrated that the Alliance option is a sustainable program structure for the NMP. The pilot project was charged to develop licensing and inspection guidance for a new use of material, or a new modality, not previously reviewed and approved by the NRC. The pilot project was implemented by the OAS. The development of guidance which will be used by both the NRC and Agreement States will

result in resource savings for all participants by eliminating duplication of efforts and will provide consistent oversight across the nation.

3. Provide demonstration that States can assume and carry out greater responsibility for the development and maintenance of products under an NMP.

Individual State programs have long been willing and able to commit resources and staff in support of the development of products to be utilized by both the NRC and the Agreement States. Many Agreement State staff have served as members of working groups and writing teams for NUREGs and other technical documents.

State staff's participation in the five pilot projects and completion of the final products by these pilot projects demonstrated that Agreement States can carry out greater responsibility for the development of products needed by NRC and the Agreement States.

Pilot Project 2 demonstrated that States can take a lead role in developing regulatory products to be used in implementing and sustaining today's radiography safety certification program.

Pilot Project 4 demonstrated that States can assume the responsibility for development of licensing and inspection guidance for use by both NRC and Agreement States. The pilot project working group was implemented by the OAS and consisted of four Agreement State members and one NRC member.

4. Provide greater assurance that individual State programs are willing and able to commit resources, and to produce products on a schedule that can be utilized by NRC and the Agreement States.

Pilot Project 1 working group consisted of two State representatives, one of whom is a manager in the Texas Department of Health and the other is the Radiation Control Program Director for the Massachusetts Department of Public Health. Although their positions in the State programs were demanding of their time and efforts, both representatives were able to contribute greatly to the work products developed during the course of the pilot project. In addition, one representative was able to participate as the Co-Chair of the pilot, which required additional responsibilities to that of a working group member. During the course of the pilot, both representatives also used personal time to complete work products, travel, and review documents associated with the pilot project. The working group believes that, based on the contributions of the State representatives, State programs are willing and able to commit resources and produce products that can be utilized by both NRC and Agreement States.

Pilot Project 2 was implemented by the CRCPD and its working group consisted of three Agreement State members, two NRC members and one member from the industry. Completion of the pilot project demonstrated that Agreement States are willing and able to commit resources, and to produce products on a schedule that can be utilized by NRC and the Agreement States.

Pilot Projects 3 notes that substantial challenges exist for participation in NRC and Agreement State pilot projects. Pilots and working group activities are often conducted with existing resources, in most cases, as an added activity to the existing work of candidate participants. Individual States will participate in working groups when the issue is important to them, but an adequate level of involvement can be achieved when the solicitation of working group activities and membership are done mutually by the NRC and the Agreement States. The ability of the working group to achieve progress and meet schedules is highly dependent on the staffing and budgeting environment of the sponsoring organization. In general, no work is given up to support pilot and working group activities. Professional development activities also compete, and travel, in support of pilot activities may not be well-supported, even if NRC funding can be arranged via the NMP. States indicated a desire to participate where the initiative addresses concerns that are of mutual interest to them but noted some States may not share the same issue or be able to support projects requiring long-term commitments.

Pilot Project 4 was implemented by the OAS and its working group consisted of four Agreement State members and one NRC member. Completion of the pilot project demonstrated that Agreement States are willing and able to commit resources, and to produce products on a schedule that can be utilized by NRC and the Agreement States.

5. Provide insights into whether the NRC will be able in the future to realize resource savings and efficiency gains through shifting of work to States under an Alliance structure.

Pilot Project 1 tested the prioritization process as envisioned under the Alliance option, which included making recommendations on prioritized regulatory needs. During the test, the Pilot Project 1 working group acted as the Priorities Committee, selected NRC managers and the Chairs of the CRCPD and the OAS acted as the Steering Committee, and STP acted as the Administrative Core. A teleconference between the Priorities and Steering Committees was conducted. During the teleconference, the working group presented recommendations on two specific regulatory needs. The two recommendations were work products to be developed with Agreement States having lead responsibility. The NRC will be able to realize the resource savings and efficiency gains by having the Agreement States assume greater responsibility in the development of shared work products.

Pilot Projects 2 and 4 demonstrated that a center of expertise within the Agreement States as envisioned under the Alliance option was able to develop regulatory products for use by NRC and Agreement States. Since Agreement States share the resources with NRC in developing regulatory products, NRC can realize resource savings under an Alliance structure.

6. Provide demonstration that NRC can operate in an NMP framework and will be able to use products which may have been developed by a single State or group of States without the need for major change.

As stated under success measures #5, Pilot Project 1 noted that during the teleconference between the Priorities and Steering Committees, consensus decisions

were reached on the two priority recommendations. The NRC managers that participated on the Steering Committee expressed a willingness to participate in the NMP framework and prioritization process developed by the Pilot Project 1 working group. The two recommendations presented and subsequent actions approved were both to be led by Agreement States. The NRC managers had no objections to the lead organizations of the recommendations and expected that the NRC would be able to use the work products, if developed.

Pilot Project 2 indicated that based on NRC's past participation in the development of radiography safety certification concepts, policy development and implementation of a compatible certification program, and acceptance of general industrial radiography certification products, its working group believes that NRC could operate under an NMP as envisioned under the Alliance option.

7. Provide demonstration that NRC is willing to share with the States the establishment of priorities for the NMP including rule and guidance work needed to support the materials and waste arenas.

Pilot Project 1 demonstrated that NRC and Agreement States can collaborate in establishment of priorities and the development of a national priority list. During the course of the pilot project, the working group ensured that State needs were known and considered along with those identified by the NRC. In addition, the NRC manager with lead responsibility of the pilot project encouraged Agreement State participation in work product development and in gathering stakeholder input. The working group believes that the NRC is willing to share with the States the establishment of priorities and works products development for the NMP. The framework and prioritization process developed has outlined how decisions for implementing plans for materials program work could be shared by NRC and Agreement States.

8. Provide insights to help understand the degree to which Agreement States are aligned with NRC Policy direction to use a risk informed and performance based regulatory approach.

Pilot Project 3 indicated that the use of risk information has substantial benefit for the allocation of resources for both NRC and Agreement State programs. A challenge is that risk-informed work products need to be packaged to serve end-user needs. States do not have staff's trained explicitly in the use of risk analysis methods. NRC has developed some tools, expertise, and methods for integrating risk into regulatory decision-making. More work is needed to codify these actions into procedures for use in the operating experience program.